

**SERC Meeting
July 13, 2005
1:00 pm**

Rudy Raynes began the meeting at 1:10 pm, a quorum was present, for those in attendance see attached roster. The minutes of May 13, 2005, were reviewed. Rudy Raynes asked for corrections, deletions or additions. References to the CERCLA grant and grant years were corrected, 2005 should be 2004 and 2006 should be 2005. *Alan Abbot moved to approve the minutes. Joe Wyatt seconded. Motion passed.*

Old Business-

SERC By-Laws -Rudy Raynes identified several sections needing correction, the WV Office of Emergency Services has been renamed the WV Division of Homeland Security and Emergency Management by legislative initiative effective 1 July. Page 4 item d name change; page 5 section 1 name change; page 6 article 9 section 3 from majority to simple majority; page 8 section 3 article 7 from majority to simple majority; page 10 article 14 name change; page 11 article 15 from majority to simple majority; page 11 article 16 name change;. Page 12 definition of majority was discussed extensively, additional paperwork was handed out on definitions of majority, simple majority, quorum for the Commissions review. There was continued discussion on the number of commission members and what, how and why the difference between majority and simple majority are important and a definition of majority and simple majority is necessary. *Joe Wyatt made a motion to amend Article 10 section 4 change from majority to simple majority and delete the definition of majority and leave the definition of simple majority. Mike Goff seconded. Motion passed.* Rudy Raynes clarified a simple majority is: one-half of commission members plus one. *Jim Riggs moved to accept the revised by-laws, Mike Goff seconded.* By-laws will be revised and submitted to the SERC for a final review and vote at the September meeting. A request to the Secretary of State's office on whether the by-laws must be filed with their office came back negative. The Secretary of State's office is not required to have a copy of the by-laws.

2005 HMEP Grant -Checks for Preston and Hampshire counties were mailed on June 28th, Pendleton and Wood County check requests are pending.

2006 HMEP Grant - To date 7 2006 HMEP grant applications have been received the deadline of July 15 is fast approaching. There was discussion on appointing a grant sub-committee and what time frame is required. Because the 2006 grant begins 1 October the sub- committee should meet before the next SERC meeting (September 14) so the full Commission can vote on the sub-committee's recommendations. The members appointed Rudy Raynes, Joe Wyatt, Giles Watson and Denny McGann to the committee. A date and place will be determined later.

SERC Grants- 4 LEPC grant requests are being held because they were signed in black ink. It is mandatory all grant requests be signed in **blue** ink. At present \$10,500 of the \$25,000 allocated for SERC grants have been expended. The remaining funds will be distributed to those LEPCs who have previously shown an interest in the grant and applied before the June 30th deadline. A letter will be sent to those LEPCs who previously requested grant funds notifying them additional funds are available if they choose to request them. It was discussed whether the grants should be based on types of projects or made available to prior grantees. *Jesse Adkins made a motion to allocate an additional \$700 to LEPCs who have already received the initial \$500 grant. Mike Goff seconded. Motion passed.*

By-Laws -Braxton and Roane counties provided the signature pages requested at the May 13th meeting. Hancock Brooke LEPC have split and returned to single LEPC status. Hancock has also submitted their revised By-laws and it meets all required criteria. *Joe Wyatt made a motion to accept Braxton, Roane and Hancock County LEPC by-laws. Jim Riggs seconded. Motion passed.*

Training Subcommittee -Jim Cox reported the RESA's have continued their training efforts and have expended all but \$2500 of the 2004/2005 HMEP grant funds. The remaining \$2500 will be expended by the 1 October deadline.

Treasurer's Report - Laverne reported Mike Moore fixed the problem with the treasurers report and the automatic formula feature. In the packet are the expenditure from January thru June of 2005. Currently there are several disputes and clarification has been requested by Admin on what and why the funds

were expended from SERC revenue.

New Business - Bart Freeman from FEMA discussed the FEMA CERCLA program . The CERCLA grant program is a cooperative program between FEMA and EPA's CERCLA (Comprehensive Environmental Response, Compensation and Liability Act) grant program to enhance the response capabilities of local jurisdictions. This grant originally provided funds for CHER-CAP (Comprehensive Hazard Materials Emergency Response Capability and Assessment Program), however a new inter-agency agreement between FEMA and EPA channeled the program in a new direction. Attendance at EPA's RRT meetings, Hazardous Materials Conferences, State Emergency Response meetings, Local Emergency Planning meetings are being encouraged and the CERCLA grant is available to defray travel expenses to those types of meetings. CHER-CAP continues to provide information, training and expertise in plan reviews for communities who request assistance.

The requested position paper requested by Cabinet Secretary Spears has been sent to Christy Morris, Acting Director WVDHSEM for review and comment. No requests for clarification or additional information has been received from Ms. Morris.

Butch Evans from WARN Systems has requested Laverne assist in their upcoming event. Mr. Evans offered to hire Laverne as a contractor to assist, however, Laverne felt since Mr. Evans company is a vendor at our conference it is inappropriate to become a contractor for WARN systems. Laverne has offered to assist Mr. Evans whenever possible as long as it does not interfere with her normal duties. LEPC and OES directors names and address will be made available to Mr. Evans for his upcoming event.

SB 348 has been received by the SERC. The bill states anyone who receives \$25,000 or more in a grant must be certified by a CPA. Rudy Raynes has reviewed the legislation and it does not appear to apply to our LEPCs. Laverne has contacted administration and they don't believe it applies either but they will call back with a definitive answer.

Monongalia County LEPC has requested the SERC consider moving the SERC meetings around the state so more LEPCs could participate. It is a good idea, however due to constricted funds moving the meetings would be costly and the SERC does not have funds at this time.

The legislation has been submitted to Ms. Morris to revise new agency designations and to raise the fees. Ms. Morris has indicated it is not prudent to break the bill into two sections in case one is passed and the other is not, she feels it could potentially negate portions of the passed legislation. LEPCs must assist in the passage of these bills, members of the SERC are not permitted to lobby legislators due to their agency status. LEPCs need to assist in contacting legislators, the current funding restrictions on grants and activities will continue until and unless the bills are passed.

Mark Wolford from the City of Charleston wanted to notify everyone Operation Cardinal the drill scheduled utilizing DHS funds has been cancelled.

Jim Riggs moved to adjourn, Alan Abbott seconded, Motion passed.

Meeting ended at 2:05. **The next scheduled meeting will be September 14th 2005, at 1:00 pm at the EOC in charleston at the capitol complex.**

Schedule of next meetings

Nov 9th 1:00 pm